

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

DAVID FINNEY,

Plaintiff,

V.

NISSAN NORTH AMERICAN, INC., et al.,)

Defendants.

CASE NO.: 3:06-CV-622-WKW

DEMAND FOR JURY TRIAL

PLAINTIFF'S FIRST AMENDMENT TO COMPLAINT

COMES NOW, the Plaintiff, David Finney, and shows the Court as follows:

1. Plaintiff re-alleges and incorporates by reference each and every paragraph of Plaintiff's original Complaint as if fully set forth herein.

2. Plaintiff's original Complaint was filed July 17, 2006.

3. Plaintiff adds Party-Defendant Takata Corporation. Defendant Takata Corporation is, upon information and belief, a foreign corporation involved in the design, production, manufacture and sales of motor vehicle seat belts, airbags, steering wheels, interior trims, fabrics and child restraint systems. Upon information and belief, Defendant Takata Corporation maintains its corporate office in Tokyo, Japan.

4. The United States and Japan are both parties to the Hague Convention on the Service Abroad of Judicial and Extra-Judicial Documents in Civil or Commercial Matters, TIAS #10072 (U.S. Treaties & other International Acts) and 20 UST 361 (U.S. Treaties & other International Agreements). Service in accordance with this international treaty is the exclusive

method for servicing documents there. As such, Plaintiff has hired APS INTERNATIONAL, LTD., to properly perfect service upon Defendant Takata Corporation.

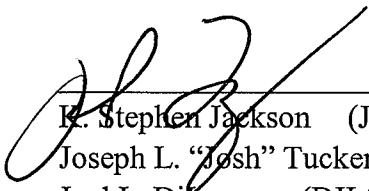
5. APS International, Ltd. will serve the Takata Corporation as follows:

Takata Corporation
No. 25 Mori Building, 4-30
Roppongi 1-chome, Minato-ku,
Tokyo, Japan, 106-8510

6. A "stamped filed" copy of Plaintiff's original Complaint is attached hereto as Exhibit "A".

WHEREFORE, Plaintiff demands judgment against all defendants, independently and collectively, jointly and severally, in an amount equal to the sum that the jury assesses for injuries and damages sustained, together with interest from the date of injury, and the costs of this proceeding. Further, Plaintiff requests that the jury award punitive damages in an amount which will adequately reflect the enormity of the defendants' wrongful acts and which will effectively prevent other similar wrongful acts in the future.

PLAINTIFF HEREBY DEMANDS TRIAL BY STRUCK JURY



R. Stephen Jackson (JAC 034)
Joseph L. "Josh" Tucker (TUC 033)
Joel L. DiLorenzo (DIL018)
Attorneys for Plaintiff

OF COUNSEL:
JACKSON & TUCKER, P.C.
Black Diamond Building
2229 First Avenue North
Birmingham, Alabama 35203
Telephone: (205) 252-3535
Facsimile: (205) 252-3536

CERTIFICATE OF SERVICE

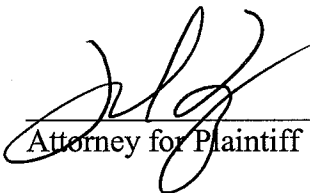
I herby certify that a true and correct copy of the above was served upon the following via regular United States Mail, postage prepaid and properly addressed on this 27th day of November, 2006.

Charles A. Stewart, III, Esq.
BRADLEY, ARANT, ROSE & WHITE, LLP
Alabama Center for Commerce
401 Adams Avenue, Suite 780
Montgomery, AL 36104
Attorney for Defendant Takata

Robert C. Khayat, Jr., Esq.
KING & SPALDING, LLP
1180 Peachtree Street
Atlanta, GA 30309
Attorney for Defendant Nissan North America

Defendant TAKATA CORP to be served by:

APS International, Ltd.
APS International Plaza
7800 Glenroy Road
Minneapolis, MN 55439-3122



Attorney for Plaintiff